

## REMARKS

New claims 21 and 22 have been added. Claims 2-4 and 6-22 are currently pending. Reconsideration is respectfully requested.

## REJECTION UNDER 35 U.S.C. § 102(b)

In the final Office Action, at page 3, numbered paragraph(s) 8-13, claims 2-6 and 9-20 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,493,692 to Theimar, et al.

In the Advisory Action, the Examiner has again asserted that Theimar, et al. teaches "setting a relationship between the first user requesting communication and the second user." The Examiner cites Theimar, et al. at col. 11, lines 3-6 in support of this position. The cited portion states that the User Agent "may also check the requesting client's identity and authentication if the user's policies restrict responses to a subset of all possible clients. Further, the Examiner cites Theimar, et al. at col. 7, line 65 to col. 8, line 4, which states that "A user's agent is under control of the user, and interacts with the rest of the system as an electronic proxy for that user." Further, it states that "[p]ersonal information about a user is primarily collected by, and primarily resides in, the user's agent. This information may include: 1) relatively static information, such as preferences and policies...." Applicants respectfully disagree with the Examiner's assertion.

First, Applicants respectfully assert that the term "client," as used by Theimar, et al., differs from the word "user," as in the present invention. Regarding the definition of "client," the Examiner has cited Theimar, et al. at col. 7, lines 10-20, which state that a "'user,' for the purposes of the discussion below, is a human who interacts, implicitly or explicitly, with the resources of the system." Accordingly, Applicants respectfully submit that, based on this definition, the term "client," as used by Theimar, et al. differs from the term "user" in both the present invention and Theimar, et al.

As the term "client" differs from "user," Applicants respectfully submit that checking the identity of the requesting client and authentication if a user's policies restrict responses to a subset of all clients, as taught by Theimar, et al., differs from "setting a relationship between the first user requesting communication and the second user," as in the claimed invention.

That is, Theimar, et al. appears to teach that a user may restrict responses based on the type of client making the inquiry, rather than the user making the inquiry. For example, different types of machines, software, or services might be treated differently by the User Agent, based on a user's policies. Applicants respectfully submit that the present invention distinguishes over

Theimar, et al. at least because it teaches setting a relationship between a first user and a second user, rather than a User Agent and a client which may or may not be related to a user.

For at least these reasons, Applicants respectfully submit that claims 2-6 and 9-20 patentably distinguish over Theimar, et al. and are in condition for allowance.

#### **REJECTION UNDER 35 U.S.C. § 103(a)**

In the final Office Action, at page 6, numbered paragraph(s) 15-17, claims 7-8 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,493,692 to Theimar, et al. in view of U.S. Patent No. 5,943,478 to Aggarwal, et al.

Dependent claims 7 and 8 depend from independent claim 4. Accordingly, Applicants respectfully submit that dependent claims 7 and 8 patentably distinguish over Theimar, et al. for at least the reasons set forth above and are in condition for allowance.

Regarding dependent claim 7, the Examiner acknowledges that Theimar, et al. fails to teach that a request occurs if the information is not recorded in the first storing means. Further, the Examiner asserts that Aggarwal, et al. teaches the request of information content from another terminal if the information content is not stored in the recording medium at col. 3, lines 41-53. Applicants respectfully disagree with the Examiner's position.

Aggarwal, et al. teaches that when a user "A" sends a message to a user "B," A's client connects to A's home server and transmits the message to it. If A's home server is not familiar with B's home server, it queries a global server to determine the identity of B and then establishes a connection with B's home server to transmit the message. If B is logged in, then the B's home server transmits the message to B. If B is not logged in, B's home server stores the message so that it is transmitted to B when B next logs in. Thus, Applicants respectfully submit that Aggarwal, et al. fails to teach or suggest at least an obtain request among a plurality of communication requester terminals, as in dependent claim 7. For this reason and those set forth above, Applicants respectfully submit that the dependent claim 7 patentably distinguishes over Theimar, et al. and Aggarwal, et al. and is in condition for allowance.

#### **NEW CLAIMS 21 AND 22**

New independent claims 21 and 22 have been added for consideration in view of the Examiner's previous position on the prior art and to further emphasize inventive features that distinguish over the prior art.

## CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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